

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

NINA C. BRADLEY	)	
	)	
COMPLAINANT	)	CASE NO.
	)	2000-210
VS.	)	
	)	
LEAST COST ROUTING INC.	)	
	)	
DEFENDANT	)	

O R D E R

On April 28, 2000, Ms. Nina C. Bradley (“Complainant”) filed a complaint alleging that Least Cost Routing, Inc. (“Least Cost Routing”) had changed her long-distance carrier without her permission. During the informal complaint process prior to submission of the formal complaint, Commission Staff obtained from Least Cost Routing a tape, recorded pursuant to KRS 278.535, that demonstrates Complainant’s affirmative response to the questions of the Least Cost Routing representative. The questions and responses recorded on the tape and submitted to the Commission demonstrate that Complainant assented to the carrier change and that Least Cost Routing provided to Complainant, pursuant to applicable law, the necessary information regarding the change. The tape is in the Commission’s possession, as is the report of Commission Staff that Least Cost Routing violated no law in switching Complainant’s service.

Complainant alleges that additional conversation took place that Least Cost Routing did not record. However, assuming those allegations are true, they do not

negate the evidence provided by the tape that Least Cost Routing complied with the law in switching Complainant's service.

Complainant's service with Least Cost Routing has been cancelled for some months.

Given the evidence produced by Staff's investigation, there appears to be no genuine issue of material fact to be explored in further proceedings. Accordingly, the complaint should be dismissed.

The Commission having reviewed the record herein and having been otherwise sufficiently advised, IT IS HEREBY ORDERED this case is closed and is removed from the Commission's docket.

Done at Frankfort, Kentucky, this 6<sup>th</sup> day of June, 2000.

By the Commission

ATTEST:

  
Executive Director